

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

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|-----------------------------|---|---------------------------|
| RICHARD WALTER BRADLEY, JR, |) | |
| |) | |
| Petitioner, |) | CASE NO. C13-1327-JLR-MAT |
| |) | |
| v. |) | |
| |) | REPORT AND RECOMMENDATION |
| STATE OF WASHINGTON, |) | |
| |) | |
| Respondent. |) | |
| _____ |) | |

Petitioner Richard Walter Bradley, Jr. submitted to the Court a proposed petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241. (Dkt. 1.) However, he failed to submit either the filing fee or an application for leave to proceed *in forma pauperis* (IFP). By letter dated July 29, 2013, the Clerk sent petitioner a letter directing him to submit either a completed IFP application or the filing fee by August 28, 2013. (Dkt. 3.) On August 2, 2013, the Clerk's letter was returned to the Court as undeliverable. (Dkt. 4.)

To date, petitioner has not submitted the filing fee, a complete application to proceed IFP, or an updated address. As petitioner has had ample time to comply with the filing fee

01 requirement and to advise the Court of his current address, but failed to do so, the Court
02 recommends that the instant action be DISMISSED without prejudice for failure to prosecute.
03 *See* Local Civil Rule 41(b)(2) (“If mail directed to a pro se plaintiff by the clerk is returned by
04 the Postal Service, or if email is returned by the internet service provider, and if such plaintiff
05 fails to notify the court and opposing parties within 60 days thereafter of his or her current
06 mailing or email address, the court may dismiss the action without prejudice for failure to
07 prosecute.”) A proposed Order accompanies this Report and Recommendation.

08 DATED this 15th day of October, 2013.

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11 Mary Alice Theiler
12 Chief United States Magistrate Judge
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